IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

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WRIT PETITION NO : 13802 of 2002

Between:

1. V.Enkanna, S/o. Pakiranna,
   Lingamma Pulikal Village, Cheruvu,
   Ieeja Mandal, Mahaboobnagar District.

2. P.Veeranna, S/o. Usenappa,
   Lingammacheruvu, Thothioni Doddi Village,
   Ieeja Mandal, Mahaboobnagar District.

3. M.Mallaiah, S/o. M.Basavalingaiah,
   Bingidodi Pedda Cheruvu, Ieeja Village & Mandal,
   Mahaboobnagar District.

4. N.Thippa Reddy, S/o. Pedda Vengal Reddy,
   Alaiah Cheruvu, Obulonpally Village,
   Dharoor Mandal, Mahaboobnagar District.

...PETITIONERS

AND

1. Government of Andhra Pradesh, Rep. by its Secretary,
   Irrigation & Command Area Development, Secretariat,
   Hyderabad.

2. The District Collector & District Magistrate,
   Mahaboobnagar District.

3. The Executive Engineer, Irrigation & Command Area

Development, I.B.Division, Wanaparthy,
Mahaboobnagar District.

...RESPONDENTS

* * *

ORDER:

This writ petition is filed questioning validity of G.O.Ms.No.119 dated 15.06.2002 issued by the first respondent.

2. All the four petitioners came to be Presidents of Water Users Associations, which are elected bodies under Andhra Pradesh Farmers Management of Irrigation Systems Act, 1997. This Act came into force in the year 1997 and for the first time elections were held for the associations in the State on 17.06.1997. The tenure of the president and members of the Managing Committee was five years, which was expired by 16.06.2002. Proposing certain amendments to the Act, a transitional arrangement is made by impugned order entrusting the management to the respondents 2 and 3. The petitioners have questioned this G.O. on various grounds and at the stage of admission this Court, by an order dated 29.07.2002, directed to maintain *status quo*. However, it was also made clear to proceed as per Section 34 of the Act for conduct of elections.

3. Though the writ petition is of the year 2002, no counter-affidavit is filed, however, it is submitted by the learned Government Pleader appearing for the respondents that for all the societies, election was also conducted on expiry of first tenure of five years.

4. As no counter-affidavit is filed and when the petitioners have been continuing as presidents of associations pursuant to the orders of this Court dated 29.07.202 and the said orders continued all along, I dispose of the writ petition, by directing the respondents to continue the petitioners, if no elections have been conducted to the bodies held by the petitioners, till elections are conducted and new management take over for such course.

5. Subject to the above direction, the writ petition is disposed of. No order as to costs.

R.SUBHASH REDDY, J.

Date: 29th September 2005.

BSB